

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

BIG STONE GAP CALENDAR - MARCH 21 , 2005

(Court convenes at 1:00 P.M.)

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys:	Debtors:	Case Nos.:	Trustees:
<u>1:00 P.M. - CHAPTER 13 CONFIRMATIONS</u>			
Hutchinson	DARLENE MCCONNELL CASE CONVERTED TO CH 7 on 12/29	04-74731	Widener/AF
Lamie	FULLER & MILDRED HELBERT CASE DISMISSED 3/8/05	04-74204	Widener/S
Carmody	WILLIE STONE Plan filed 1/4/05; # 11	04-75013	Widener/LM
Hutchinson	RANDY & DEBRA HICKS Plan filed 1/13 # 11, conf set in d/e # 6. (<i>Service?</i>) Trustee Report & Showcause filed 2/24; # 14 Obj: Wachovia Bank (Smith) filed 2/25; # 18	04-74871	Widener/SL
Motion for Relief - filed 2/25; # 17, 19 by Wachovia Bank NA (Smith) <i>-Movant certification filed 3/1; # 20</i> <u>Response of debtor filed 3/9; # 24</u>			
Hutchinson	ROBERT & SHERRY MIDDLETON Post Conf. Mod Plan filed 12/15; #29, 30 - <i>contd from 2/8</i> Valuation: The Peoples Bank, filed 1/17; # 33	04-1898	Widener/NS
Hutchinson	PHILIP & TINA CUPP Plan filed 1/15; #5, 6 - <i>contd from 2/9</i> Valuation: Citifinancial: filed 1/17; #10	04-74562	Widener/SJ

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Hutchinson	C. L. & GLORIA STROUTH	04-74528	Widener/VS
	Plan filed 11/15: #10 - <i>contd from 2/9</i>		

Valuation: Chrysler Financial, filed by debtor C. L. Strouth on 1/17; #16

Harris	BENNIE SLUSS, JR.-CH13	03-05291	Widener/NS
	Third Amended Plan filed 1/14; #33, #34		
	Trustee Report & Showcause filed 12/28; # 32, <i>contd from 2/9</i>		

Hutchinson	JAMES & KELLY BURKE	04-74788	Widener/NS
	<i>-Mod Plan filed 3/15; # 13, 15, set for 5/3 @ 1:00</i>		
	Trustee Report & Showcause: Dismiss/convert filed 2/2; # 10		
	Obj: HSBC Auto Finance fka Household Automotive Finance Corp (Epps)		
	Filed on 3/2; # 12		

Hutchinson	GARY & ALICE FULLER	04-74978	Widener/GR
	Plan filed 12/15; #4, 6		
	Trustee Report & Showcause: filed 2/2; # 9		

Hutchinson	ANDY & TAMMY MEADE	04-74913	Widener/LM
	Plan filed 12/8; #4, #6		

Hutchinson	LARRY & JUDY FRAZIER	04-74766	Widener/SL
	Plan filed 11/26; # 3, 6		

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Hutchinson ELLA BLOOMER 04-74767 Widener/SL
Plan filed 11/26; # 3, 6; Mod Plan filed 1/31 #11, Ord/Ntc # 12
Obj: American General Finance (Hutton) filed 1/26; #10
Trustee Report & Showcause: filed 2/2; # 13

Lamie MARK COLEMAN 04-1874 Widener/SL
Case Reinstated 1/20 #50; Amended Plan filed 1/20; #49, Ord 1/20 set hrg #51
CASE DISMISSED 1/26/05; failure to comply w/court's 1/20 order re:
reinstatement conditions requiring pmt of arrears to trustee

1:00 P.M. - MISCELLANEOUS

Compton TONY SHKURKA 04-2971 Wick/SL
Objection of Debtor to Claim #1 of Colleen S. Jackson in amt of \$37,818.02
filed 2/2; # 19 ; re-filed 2/4; # 20
Response (in ltr form) filed by Jerry Jackson on behalf of Colleen Jackson 3/1; #22

Hutchinson DIANNA HALL 05-70318 Widener/SO
Motion for Relief from Stay, filed 2/17; # 10, 12, 13, 15 by GMAC (Eason)
Movant certification filed 2/28; # 21

Motion for Relief from Co-Debtor Stay, filed 2/17; # 11, 14 by GMAC (Eason)
----No objections filed, Order/Notice self-executing

Jessee CHARLES & DONNA BENNETT 05-70181 Wick/GR
Motion for Relief - filed 2/22; # 18, 19 , 21, by HSBC Auto Finance (Epps)
-Order of 3/16 granted relief (Default)

1:30 P.M. - MISCELLANEOUS

Hutchinson JEFFERY & JENNIFER DYE 05-70468 Widener/SL
Motion of Debtors to Extend time to file schedules and Chapter 13 plan filed 2/28
#9

1:30 P.M. - MISCELLANEOUS

Hutchinson	JIMMY & CYNTHIA ELLIS Trustee Motion to Dismiss or Convert case filed 1/24; #35	02-1100	Widener/S
Hutchinson`	ALICE FAY ENGLE-ISOM Motion of Trustee to Dismiss or Convert case filed 3/3; # 19	04-2294	Widener/NS
Hutchinson	CLARA TATE Motion of Trustee to Dismiss case filed 2/14; # 12	04-3292	Wick/NS
Hutchinson	TIMOTHY & REBECCA OSBORNE Trustee Motion to Dismiss Case or Convert, filed 2/17; # 26 <i>–Order of 3/4 withdrew motion</i>	01-4048	Widener/JJ
<u>h</u> utchinson	DANA & MARSHA COLLINS-CH7 Debtors' Motion to Dismiss Case filed 1/18; #6	04-74908	Jessee/JM
Carmody	MARVIN & CATHY DOTSON Objection of Trustee to Debtors' Claim of Exemptions filed 2/23; # 8 – Motion to convert case filed – trustee to p/o to withdraw obj. <i>–deficiency ntc re: Mot to convert; Dischg ord issued 3/15/05 - requires compliance with Local Rule 1017-1</i>	04-74944	Jessee/JJ
Rasnic	BRUCE AND LISA GILLIAM Motion for Relief from stay filed by Washington Mutual Bank(Neyhart) d/e #7 <u>Response to motion filed 12/29; #12 – contd from 1/18 - converted to Ch 13 1/18</u> <i>–both attys have agreed to cont. to 4/19 @ 1:30 – Neyhart to submit order</i>	04-74790	WidenerNS

1:30 P.M. - MISCELLANEOUS

Hutchinson CARROLL PANNELL 05-70413 Connelly/LM
Motion of Debtor to extend time to file schedules and plan filed 2/23; # 13

Elkins JIMMY FRENCH 04-74947 Jessee/JJ
Motion to Avoid Lien of American General Finance, filed 1/20; # 7, 8, 9, 10

Motion for Relief - filed 2/22; # 11, 12, 13 by Farm Credit of The Virginias
ACA (Hutton)
–*default order to chambers 3/18*

Rasnic RICHARD & KATHY SAYLOR 05-70070 Widener/SL
Motion to Avoid lien of American General Finance: filed 1/25; #13, 15
–***Default Order entered 3/2 granting motion***

Hutchinson WHEELER & LINDA DENSON 04-882 Widener/GR
Motion to Incur Debt filed by Debtor 2/28; # 21
Obj: of Trustee to Motion filed 3/1; # 22

Hendricks BRENN A OWENS 04-74825 Jessee/VS
Motion for Relief - filed 2/17 by HomeQ Servicing Corp (Sasser), #7, 8,
Amended Notice of Hearing filed 3/2; # 12
–***ORDER granting motion entered 3/11; # 16***

2:00 P.M. - PRE-TRIAL CONFERENCES

Collins CHARLES BOOHER 04-74179 Jessee/GR
AP 04-7147: Det.dischargeability
Debtor (Collins) v. Eunice Booher (J. Lamie*)
*filed Answer 1/26; #5 *styled Motion to Dismiss & contains Counterclaim*
(Answer refiled 1/28; #6 *styled Amended Motion to Dismiss & Contains*
Amended Counterclaim

AP 04-7145: Det.dischargeability – *contd from 2/9*
American General Financial Services of America (Rogers) v. Debtor
Answer filed 12/30, #4

2:00 P.M. - PRE-TRIAL CONFERENCES

Elkins REBA FRAZIER 04-74946 /JJ
AP 05-7015: Dischargeability
Debtor v. U. S. Dept of Education
-Answer to Complaint *and motion for enlargement of time* & Counterclaim
Filed 3/17; # 3 (Eckert)

T.Eckert unable to be present on 3/21; attempting to contact pltf counsel to seek continuance; had not rec'd service but filed a response on date they became aware of the AP from a review of the court's 3/21 calendar.

2:00 P.M. - MISCELLANEOUS

Lamie PAMELA WATKINS 04-74730 Wick/AF
Mot to Redeem property: Amcore Bank NA filed 1/24; #7
Response to motion filed 2/23; # 10 (Esposito)

Copeland COAL RIVER RESOURCES 04-988 DIP/NS
Copeland STEVEN R. MULLINS EXCAVATING INC (Joint Cases)
Leonard TRI-STATE LEASING
Goldstein HOLLOW MOUNTAIN RESOURCES

Re: Steven R. Mullins Excavating Inc.(Copeland)

1) Adequacy of Disclosure Statement filed 1/10/ #495, 499

Obj: Red River Coal Co Inc (Sturgill) filed 3/11; # 573

U. S. Trustee (Garber) filed 3/14; # 577

Baker Hughes Mining Tools (Shortridge) filed 3/14; # 579

2) 3rd Interim Fee Application Counsel for Debtor filed 3/1; # 565, with
Motion to Shorten Notice Requirement, #566'

Re: Tri-State Leasing (Leonard):

1) Adequacy of Disclosure Statement filed 1/10/ #497, 500

Obj: Caterpillar Financial Services Corp (Callahan) filed 1/28 # 526

Amended Plan & D/S (#580) filed 3/16 – take up on 3/21 – if new notice is required, will re-issue order/notice after said hearing

hearings contd next page

2:00 P.M. - MISCELLANEOUS

Copeland	COAL RIVER RESOURCES	04-988	DIP/NS
Copeland	STEVEN R. MULLINS EXCAVATING INC	(Joint Cases)	
Leonard	TRI-STATE LEASING		
Goldstein	HOLLOW MOUNTAIN RESOURCES		

Coal River Resources (Copeland)

- 1) AP 04-07146, Euler Hermes ACI(Esposito) v. debtors: to obtain declaratory judgment filed on 12/23 –*contd from 2/9*
 - Mot to Dismiss AP as to Coal River Resources filed 1/11; #6, 16(Copeland)*
 - Mot to Dismiss AP (BR7012 & FRBP 12) &ANSWER filed 1/20; # 7(Copeland)*
 - Answer to Complaint filed by Hollow Mountain (Goldstein) #14*
 - Motion to Dismiss AP filed by Hollow Mountain (Goldstein) #21*
 - Motion/Notice to Dismiss AP filed by Steven R. Mullins Excavating (Copeland) 2/1; # 17*
 - Answer to Complaint filed by Steven R. Mullins (Lamie)*
- 2) Disclosure Stmt & Plan
 - Obj:** Appalachian Power Co (King) filed 3/11; # 575
 - Appalachian Power Co (Douthat) filed 3/14 # 578
 - U. S. Trustee (Garber) filed 3/14, # 576
- 3) Notice of Presentation of Order Disallowing Claim #11 of AIG Law Dept, Filed 2/18; # 548
- 4) Motion of Coal River Resources for Authority to enter into Long-Term Coal Supply Agreement *filed 3/1; #558(as correction to #556) & Ntc. # 560*
- 5) Motion of Coal River Resources to Incur Debt and Enter into Coal Sales Agreement and Employ as Sales Agent Smoky Mountain Coal Corp filed 3/1 #559 (*as correction to #554*) ; Ntc #561
- 6) 3rd Interim Fee Application Counsel for Coal River Resources filed 3/1; # 563, with Motion to Shorten Notice Requirement, #564

-hearings contd next page

2:00 P.M. - MISCELLANEOUS

Copeland	COAL RIVER RESOURCES	04-988	DIP/NS
Copeland	STEVEN R. MULLINS EXCAVATING INC	(Joint Cases)	
Leonard	TRI-STATE LEASING		
Goldstein	HOLLOW MOUNTAIN RESOURCES		

Hollow Mountain Resources (Goldstein)

- 1) Objs to Discl. Stmt if not resolved by amendment to be circulated to objecting creditors' counsel only by 3/1 *and agreed order approving DS thereafter*
–d/e # 549 recites 3/31 hearing; not 3/21; *amended Ord/ntc to be filed*
- 2) Application of Counsel for Debtor for Compensation filed 3/2; # 568
(Goldstein)

Copeland	BLACK DIAMOND TRUCKING CO	03-03937	Vogel/AF
	Application for Compensation by Copeland & Bieger PC filed 11/23; #137 (continued from 1/18)		
	Objection filed 1/14 by UST; #144		

Copeland	HARMAN MINING	98-1988	DIP/NS
	Atty for Creditor. Committee Application for Compensation filed 3/2 # 926 (Goldstein)		

3:00 P. M. - TRIAL

Copeland	FRANKLIN J.SUTHERLAND	01-3593	Callahan/NS
	AP 04-26 (consolidated w/04-143): TRIAL		
	William F. Callahan Jr., Trustee (Callahan) v. New England Life Insurance Co. (Viveon Kelley); Franklin J. Sutherland (Copeland); and Karen D. Sutherland (Keuling-Stout)		
	– <i>Plaintiff's Memorandum of Law</i> filed 2/28 ; # 31		
	– <i>Response of Defendant to Plaintiff Memorandum</i> filed 3/16; # 32		